

PART 573 Defect and Noncompliance Responsibility and Reports¹

On June 10th, 2009, EBL Enterprises Inc. [MFR] decided that a noncompliance with Federal Motor Vehicle Safety Standard (FMVSS) No. 218 exists in items of motor vehicle equipment listed below, and is furnishing notification to the National Highway Traffic Safety Administration in accordance with 49 CFR Part 573 Defect and Noncompliance Responsibility and Reports.

Date this report was prepared: June 24, 2009

Furnish the manufacturer's identification code for this recall (if applicable): _____

1. Identify the full corporate name of the fabricating manufacturer/brand name/trademark owner of the recalled item of equipment. If the recalled item of equipment is imported, provide the name and mailing address of the designated agent as prescribed by 49 U.S.C. §30164.

EBL Enterprises Inc. 489 Getto Ave. Clifton, NJ 07011

Identify the corporate official, by name and title, whom the agency should contact with respect to this recall.

Asad Ahmed

Telephone Number: 201-230-6353 Fax No.: 973-860-1100

Name and Title of Person who prepared this report.

Asad Ahmed

Signed:

AS

¹ Each manufacturer must furnish a report, to the Associate Administrator for Enforcement, for each noncompliance condition.

I. IDENTIFY THE RECALLED ITEMS OF EQUIPMENT

2. Identify the Items of Equipment Involved in this Recall, for each make and model or applicable item of equipment product line (provide illustrations or photographs as necessary to describe the item of equipment), provide:

Generic name of the item:

Make: Soo **Model:**

Part Number: Soo **Size:** XS-S-M-L-XL-2XL

Function:

Other information which characterizes/distinguishes the items of equipment to be recalled:

Manufacture Date: April 2008 & May 2008

Make: _____ **Model:**

Part Number: _____ **Size:**

Function:

Other information which characterizes/distinguishes the items of equipment to be recalled:

Make: _____ **Model:**

Part Number: _____ **Size:**

Function:

Model Years Involved:

Other information which characterizes/distinguishes the items of equipment to be recalled:

Make: _____ **Model:**

Part Number: _____ **Size:**

Function:

Other information which characterizes/distinguishes the items of equipment to be recalled:

Identify the approximate percentage of the production of all the recalled models manufactured by your company between the inclusive dates of manufacture provided above, that the recalled model population represents. For example, if the recall involved Widgets equipped with certain items of equipment from January 1, 2006, through April 1, 2007, then what was the percentage of the recalled Widgets of all Widgets manufactured during that time period.

_____ %

II. IDENTIFYING THE RECALL POPULATION

3. Furnish the total number of items of equipment recalled potentially containing the noncompliance.

Model	Year	Number of Items Potentially Involved
500-Series	April, 08, May 08	300

Total Number Potentially Affected by the Recall: 800 pcs.

4. Furnish the approximate percentage of the total number of items of equipment estimated to actually contain the noncompliance: 10%

Identify and describe how the recall population was determined--in particular how the recalled models were selected and the basis for the beginning and final dates of manufacture of the recalled items of equipment:

based on Test Results. The two
batches in re-calls are the first two start batches.

III. DESCRIBE THE NONCOMPLIANCE

5. Describe the noncompliance. The description should address the nature and physical location of the noncompliance. Illustrations should be provided as appropriate.

The Impact testing failed on some test results where dwells in excess of 2.00 msec at 200g

Describe the cause(s) of the noncompliance condition.

After carefully reviewing ~~the~~ communications with the factory, it seemed more like Quality Control Issue as multi re-testing results came all passed.

Describe the consequence(s) of the noncompliance condition.

In case of an accident it could cause head injury,

Identify any warning which can (a) precede or (b) occur.

N/A

If the noncompliance is in a component or assembly purchased from a supplier, identify the supplier by corporate name and address.

N/A

Identify the name and title of the chief executive officer or knowledgeable representative of the supplier:

N/A

**IV. PROVIDE THE CHRONOLOGY IN DETERMINING THE
NONCOMPLIANCE**

6. With respect to a noncompliance, identify and provide the test results or other data (in chronological order and including dates) on which the noncompliance was determined.

Test results attached

V. IDENTIFY THE REMEDY

7. A description of the manufacturer's program for remedying the noncompliance. This program shall include a plan for reimbursing an owner or purchaser who incurred costs to obtain a remedy for the problem addressed by the recall within a reasonable time in advance of the manufacturer's notification of owners, purchasers and dealers, in accordance with §573.13 of this part. A manufacturer's plan may incorporate by reference a general reimbursement plan it previously submitted to NHTSA, together with information specific to the individual recall. Information required by §573.13 that is not in a general reimbursement plan shall be submitted in the manufacturer's report to NHTSA under this section. If a manufacturer submits one or more general reimbursement plans, the manufacturer shall update each plan every two years, in accordance with §573.13. The manufacturer's remedy program and reimbursement plans will be available for inspection by the public at NHTSA headquarters.

Remedy Plan constitutes of replacement helmet that meets DOT Standards OR merchandise of equal value. If for some reason EBL Enterprises is not able to replace the non-compliance helmet, then customers will be given a choice of either take merchandise of equal value or a full refund for the non-compliance helmet.

8. Furnish a description of the manufacturer's remedy for the noncompliance. Clearly describe the differences between the recall condition and the remedy.

Manufacturer will provide a replacement helmet that meets DOT Standards. If for some reason the manufacture is not able to provide a replacement DOT helmet, then customers will be given a choice of either take merchandise of equal value or take full refund.

Clearly describe the distinguishing characteristics of the remedy component/assembly versus the recalled component/assembly.

The new helmet meets DOT standards.

Identify and describe how and when the recall condition was corrected in production. If the production remedy was identical to the recall remedy in the field, so state. If the product was discontinued, so state.

The factory corrected the re-call condition by replacing some components. like glue & paying attention to overall quality. The new test report data points to same.

VI. IDENTIFY THE RECALL SCHEDULE

9. Furnish a schedule or agenda (with specific dates) for notification to other manufacturers, dealers/retailers, and purchasers. Please, identify any foreseeable problems with implementing the recall.

After submitting this Part 573 Defect
+ Non-Compliance Report, we will move immediately
to draft a re-call letter to send to all
dealers, retailers, purchasers etc. This re-call letter will
be first submitted to DOT for review & approval.

VII. FURNISH RECALL COMMUNICATIONS

10. Furnish a final copy of all notices, bulletins, and other communications that relate directly to the noncompliance and which are sent to more than one manufacturer, distributor, or purchaser. This includes all communications (including both original and follow-up) concerning this recall from the time your company determines the noncompliance condition on, not just the initial notification. *A DRAFT copy of the notification documents should be submitted to the Office of Defects Investigation by Fax (202-366-7882) for review prior to mailing.*

Note: These documents are to be submitted separately from those provided in accordance with Part 579.5 requirements.